

REMARKS

Claims 1-15 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 102(b) - Claims 1-6, 8-9 and 12

The Examiner rejected claims 1-6, 8-9 and 12 as being anticipated by Matsubara.

Applicant traverses this rejection as follows.

Matsubara is related to a recording apparatus having a recording head 34 comprised of 128 orifices positioned across the head. (cols. 12-13) The apparatus also includes a reading sensor 125, which obtains the density data of a test pattern for shading correction. (col. 16, lines 12-16).

In the Response to Arguments section of the Office Action, the Examiner contends that:

[T]he recording medium is transported and read, as evidence by the transporting roller shown in figure 15 (31) of Matsubara and the transporting roller driver shown in figure 15 (31A) of Matsubara. It is clearly the recording medium that is transported, while the detection means (figure 15 (112-119, 125) of Matsubara) remains fixedly positioned in relation to said recording medium.

(Office Action, p. 2).

First, Applicant incorporates the remarks submitted in the Amendments of July 28, 2006, and February 28, 2006. This present response is consistent with the remarks presented in both of the earlier submitted Amendments.

Second, Applicant notes that Applicant has never taken the position that the medium is not transported. Rather, Applicant argued that the read-out head 124 of Matsubara is not fixedly positioned in relation to the conveyed recording medium, as recited in claim 1.

The Examiner attempts to rely on Figure 15 to support the contention that the read-out sensor 125 (which is a part of read-out head 124) is fixedly positioned because the recording medium is conveyed by a transporting roller. However, Applicant submits that neither figure 15, nor any other portion of Matsubara support the Examiner's position. Rather, all portions of Matsubara disclose that the read-out sensor 125 performs a scanning action and, therefore, must be movable with respect to the conveyed recording medium. (*See* col. 17, lines 11-19).

In particular, with reference to the portions cited by the Examiner in the Response to Arguments section, the Examiner alleges that read-out sensor 125 corresponds to the recited detection means. However, while the Examiner alleges that Matsubara's read-out sensor 125 is fixed, the reference indicates otherwise. For example, Matsubara discloses that "[b]y scanning the read out head 124 in the direction of arrow B in FIG. 1, the density pattern 126 is read out." (col. 1, lines 49-51).

Furthermore, it may be logically deduced that based on the configuration of the read-out head 124, the read out head 124 (as shown in Figure 1) must be able to move in both X(A) and Y(B) direction. This is because the test pattern 126 is wider than the size of the read-out head 124. (*See* FIG. 1). Moreover, Matsubara explicitly discloses that the read-out head 124 moves in both directions. First, as discussed above the read-out head 124 moves in the B(Y) direction. Second, when reading out the shading data for the four different colors (KCMY), the read-out head 124 must move in the X direction to read each different color test pattern. (*See* FIG. 10, col. 14, lines 16-20). Matsubara explicitly discloses:

The shading data on one color is obtained by one scanning of the reading head, the test pattern is then scanned as the reading head moves

to an X direction shown in FIG. 10, and the test pattern with a next color is read out.

(col. 14, lines 14-20).

Finally, as the recording sheet 2 is only movable in the Y direction, any relative movement between the read-out head 124 and the recording sheet 2 must be via the movement of the read-out head 124. Thus, Applicant submits that this is conclusive evidence that the recording head is not fixed with respect to the recording sheet 2.

Thus, because Matsubara fails to disclose a detection means fixedly positioned in relation to said conveyed recording medium, Applicant submits that claim 1 is allowable. Furthermore, Applicant submits that claims 2-6, 8-9, 12 and 15 are allowable, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a) - Claims 7 and 10-11

The Examiner rejected claims 7 and 10-11 as being unpatentable over Matsubara in view of Rolleston et al. (US 5,416,613; “Rolleston”). Applicant traverses this rejection as follows.

Rolleston is related to a method of calibrating the response of a printer to an image described in terms of colorimetric values by measuring printer response characteristics in device independent terms.

Applicant respectfully submits that because Rolleston, taken alone or in combination with Matsubara, fails to compensate for the above noted deficiencies of Matsubara, that the applied combination fails to teach or suggest a detection means fixedly positioned in relation to said conveyed recording medium.

Thus, Applicant submits that claims 7 and 10-11 are allowable for at least this reason.

Additionally, Applicant submits that the Examiner's reading of Rolleston is wholly unsupported. First, the Examiner alleges that Rolleston teaches wherein said color patches are carefully and individually read and, thus, the reading of the color patches is clearly at a slower operation than the printing of said color correction patches. However, the terms carefully and individually are nowhere present within Rolleston. Furthermore, Rolleston fails to mention any conveyance speeds of any devices.

Thus, Applicant submits that claims 7 and 10-11 are allowable for this additional reason.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejected claims 13 and 14 under § 103(a) as being unpatentable over Matsubara in view of Wise (US 5,809,884). Applicant traverses this rejection as follows.

Wise relates to a method for controlling a continuous web printing process.

Applicant submits that because Wise, either taken alone or in combination with Matsubara, fails to compensate for the above noted deficiencies of Matsubara that claims 13 and 14 are allowable, at least because of their dependency.

Conclusion

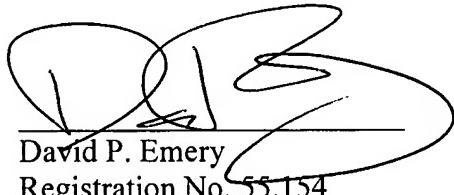
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response Under 37 C.F.R. § 1.116
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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